

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

United States District Court
Southern District of Texas

ENTERED

January 10, 2022

Nathan Ochsner, Clerk

JULIETA VASQUEZ MACKENZIE, *et al.*,

Plaintiffs,

VS.

CITY OF LOS FRESNOS POLICE
DEPARTMENT, *et al.*,

Defendants.

2020年12月25日

CIVIL ACTION NO. 1:21-CV-163

ORDER

On October 21, 2021, Plaintiff Julieta Vasquez MacKenzie filed this lawsuit against the city of Los Fresnos Police Department and Officer Aaron Villarreal (Doc. 1), alleging that Villarreal's wrongful use of a radar gun caused laser-burn damage to her eyes and brain tissue. Her husband, Kenneth MacKenzie, filed the Complaint on her behalf and applied to proceed in forma pauperis. (Motion, Doc. 2) The Complaint is signed only by Mr. MacKenzie, who is not a licensed attorney. The Magistrate Judge ordered Mrs. MacKenzie to file an amended complaint to either proceed pro se or be represented by a licensed attorney. (Order, Doc. 7) As of today's date, Mrs. MacKenzie has not complied with that Order.

In December 2021, the Magistrate Judge recommended that Mrs. MacKenzie's suit be dismissed without prejudice for want of prosecution. (R&R, Doc. 11) No party filed objections to the Report and Recommendation, and the Court finds no clear error within it.

As a result, the Court **ADOPTS** the Report and Recommendation (Doc. 11). It is:

ORDERED that Plaintiff Julieta Vasquez MacKenzie's causes of action against the City of Los Fresnos Police Department and Officer Aaron Villarreal (Doc. 1) are **DISMISSED WITHOUT PREJUDICE**.

Signed on January 10, 2022.

Fernando Rodriguez, Jr.
Fernando Rodriguez, Jr.
United States District Judge